

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----**X**
CARL ORLANDO, Jr.,
on behalf of himself and other similarly
situated individuals,

Case No. 15 CV 9434 (RJS)

Plaintiffs,

v.

**LIBERTY ASHES, INC., FRANCESCO
BELLINO, MICHAEL BELLINO, JR.,
STEPHEN BELLINO, and MICHAEL
BELLINO,**

Defendants.

-----**X**
NOTICE OF CROSS-MOTION

PLEASE TAKE NOTICE that upon the accompanying Counter-Statement of Material Facts Pursuant to Local Civil Rule 56.1, Memorandum of Law, and annexed declarations and exhibits, Plaintiffs, by their undersigned attorneys, shall move the Court before the Honorable Richard J. Sullivan at the United States Court for the Southern District of New York, 40 Foley Square, New York, New York, on such day and time as counsel may be heard, for an order granting partial summary judgment finding that Plaintiffs were not exempt from the overtime requirements of the Fair Labor Standards Act and New York Labor Law.

Dated: New York, New York
August 1, 2016

/s/ Denise A. Schulman
D. Maimon Kirschenbaum
Denise A. Schulman
JOSEPH & KIRSCHENBAUM LLP
32 Broadway, Suite 601
New York, NY 10004
212-688-5640

Finn W. Dusenberry
LAW OFFICE OF FINN W. DUSENBERY
26 Broadway, 21st Floor
New York, NY 10004
212-583-0030

*Attorneys for Named Plaintiff, Opt-In
Plaintiffs, and proposed Class*